

DISTRICT OF NEW JERSEY  
UNITED STATES BANKRUPTCY COURT

Caption in Compliance with D.N.J. LBR 9004-1(b)

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GROSS POLOWY, LLC  
Formed in the State of Delaware  
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Attorneys for Creditor MidFirst Bank

In Re:

STEVEN ECKERT  
JACQUELYN ECKERT

Debtor(s).



Order Filed on November 15, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 19-23905-mbk

Hearing Date: October 12, 2022

Judge: Michael B. Kaplan

Chapter: 13

Recommended Local Form: ☒ Followed ☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY AND/OR MOTION TO DISMISS WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) and three (3) is hereby **ORDERED**.

**DATED: November 15, 2022**

A handwritten signature in black ink, reading "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Applicant: MidFirst Bank

Applicant's Counsel: GROSS POLOWY, LLC - Ashley M Pascuzzi, Esq. - 272502018

Debtor's Counsel: Travis J. Richards, Esq.

Property Involved ("Collateral"): 8 Hyde Lane, Westampton, NJ 08060

Relief Sought: ☒ Motion for relief from the automatic stay  
☐ Motion to Dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☐ The Debtor is current and due for 1 month, for December 1, 2022
- ☐ The Debtor is current and due for 1 payment at \$1,859.71 per month.
- ☐ The Debtor is accessed for \_\_\_\_ late charges at \_\_\_\_ per month.
- ☒ Applicant acknowledges suspense funds in the amount of \$496.38 received.

Total Arrearages Due \$0.00

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Beginning on 12/1/2022, regular monthly mortgage payments shall continue to be made in the amount of \$1,859.71.
- ☐ The amount of \_\_\_\_ shall be capitalized in the debtor's Chapter 13 plan. The Debtor's monthly payment to the Chapter 13 Trustee is modified to be \_\_\_\_ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate Payment

MidFirst Bank  
999 N.W. Grand Boulevard  
Suite 100  
Oklahoma City, OK 73118-6116

☒ Regular Monthly Payment

MidFirst Bank  
999 N.W. Grand Boulevard  
Suite 100  
Oklahoma City, OK 73118-6116

☐ Monthly Cure Payment

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within (30) day of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ In the event the Debtors converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney's fees of \$850.00 and costs of \$188.00.

The Fees and costs are payable:

☒ Through the Chapter 13 plan. These fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.

☐ To the Secured Creditor within \_\_\_\_ days.

☐ Attorney's Fees are not awarded.

In re:  
Steven Eckert  
Jacquelyn Eckert  
Debtors

Case No. 19-23905-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Nov 15, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2022:

Recip ID	Recipient Name and Address
db/jdb	Steven Eckert, Jacquelyn Eckert, 8 Hyde Ln, Westampton, NJ 08060-3750

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 17, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Ashley Pascuzzi	on behalf of Creditor MidFirst Bank ecfnotices@grosspolowy.com
Denise E. Carlon	on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Lynn Therese Nolan	on behalf of Creditor MidFirst Bank ecfnotices@grosspolowy.com lnolan@grosspolowy.com
Marisa Myers Cohen	on behalf of Creditor Pingora Loan Servicing LLC nj-ecfmail@mwc-law.com, jhillier@mwc-law.com
Melissa S DiCerbo	on behalf of Creditor Flagstar Bank FSB as servicer for Pingora Loan Servicing, LLC nj-ecfmail@mwc-law.com, nj-ecfmail@ecf.courtdrive.com

District/off: 0312-3

User: admin

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Date Rcvd: Nov 15, 2022

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Total Noticed: 1

Travis J. Richards

on behalf of Debtor Steven Eckert richardslegal@yahoo.com G19226@notify.cincompass.com,travis@wr.legal,nick@wr.legal

Travis J. Richards

on behalf of Joint Debtor Jacquelyn Eckert richardslegal@yahoo.com  
G19226@notify.cincompass.com,travis@wr.legal,nick@wr.legal

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10